

HOUSE BILL 595

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K4

2003 Regular Session  
3lr1298  
CF 3lr2085

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By: Delegates Proctor, Vallario, Anderson, Aumann, Barkley, Barve,  
Benson, Bohanan, Boschert, Bozman, Branch, Burns, Cadden, Cane,  
Conroy, Conway, C. Davis, DeBoy, Donoghue, Eckardt, Edwards, Elliott,  
Feldman, Franchot, Frank, Frush, Gaines, Griffith, Heller, Hixson,  
Howard, Hubbard, Jones, Kelley, Love, Madaleno, Malone, McKee,  
Menes, Minnick, Moe, Nathan-Pulliam, Niemann, Parker, Patterson,  
Rosenberg, Rudolph, Shank, Stocksedale, Stull, F. Turner, V. Turner,  
Vaughn, and Weldon

Introduced and read first time: February 6, 2003  
Assigned to: Appropriations

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Committee Report: Favorable with amendments  
House action: Adopted  
Read second time: March 21, 2003

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Retirement and Pension System - Board of Trustees - Membership**

3 FOR the purpose of ~~adding an additional teacher trustee to~~ altering the composition  
4 of the Board of Trustees for the State Retirement and Pension System; requiring  
5 that one of the trustees be a retiree of either the Teachers' Retirement System or  
6 Teachers' Pension System at the time of the trustee's election to the Board;  
7 ~~requiring the Board to take certain actions to implement this Act; prohibiting~~  
8 certain trustees from being employees of the State Retirement Agency; and  
9 generally relating to the membership of the Board of Trustees for the State  
10 Retirement and Pension System.

11 BY repealing and reenacting, with amendments,  
12 Article - State Personnel and Pensions  
13 Section 21-104(a)  
14 Annotated Code of Maryland  
15 (1997 Replacement Volume and 2002 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
17 MARYLAND, That the Laws of Maryland read as follows:

1 **Article - State Personnel and Pensions**

2 21-104.

3 (a) The Board of Trustees consists of the following ~~{14}~~15 trustees:

4 (1) the Secretary of Budget and Management, ex officio;

5 (2) the State Comptroller, ex officio;

6 (3) the State Superintendent of Schools, ex officio;

7 (4) the State Treasurer, ex officio, who may appoint a deputy treasurer  
8 as designee;

9 (5) the Secretary of the State Police, ex officio;

10 (6) two trustees who are members or retirees of the Correctional Officers'  
11 Retirement System, the Employees' Pension System, the Employees' Retirement  
12 System, the Judges' Retirement System, the Legislative Pension Plan, the Local Fire  
13 and Police System, or the Law Enforcement Officers' Pension Plan, only one of whom  
14 may be a retiree of any of those State systems at the time of election under subsection  
15 (b) of this section and neither of whom may be an employee of the State Retirement  
16 Agency;

17 ~~(7) two trustees who are members [or retirees] of the Teachers' Pension~~  
18 ~~System or the Teachers' Retirement [System, only one of whom may be a retiree of~~  
19 ~~either State system at the time of election under subsection (b) of this section]~~  
20 ~~SYSTEM;~~

21 ~~(8) ONE TRUSTEE WHO IS A RETIREE OF EITHER THE TEACHERS'~~  
22 ~~PENSION SYSTEM OR THE TEACHERS' RETIREMENT SYSTEM AT THE TIME OF~~  
23 ~~ELECTION UNDER SUBSECTION (B) OF THIS SECTION;~~

24 (7) ONE TRUSTEE WHO IS A MEMBER OF THE TEACHERS' PENSION  
25 SYSTEM OR THE TEACHERS' RETIREMENT SYSTEM, WHO SHALL BE ELECTED AS  
26 PROVIDED IN SUBSECTION (B) OF THIS SECTION AND MAY NOT BE AN EMPLOYEE OF  
27 THE STATE RETIREMENT AGENCY;

28 (8) ONE TRUSTEE WHO IS A RETIREE OF THE TEACHERS' PENSION  
29 SYSTEM OR THE TEACHERS' RETIREMENT SYSTEM, WHO SHALL BE ELECTED AS  
30 PROVIDED IN SUBSECTION (B) OF THIS SECTION AND MAY NOT BE AN EMPLOYEE OF  
31 THE STATE RETIREMENT AGENCY;

32 [(8)] (9) two trustees who are members or retirees of the State Police  
33 Retirement System, of whom one is a retiree of the State Police Retirement System at  
34 the time of election under subsection (b) of this section;

1            [(9)]    (10)    one trustee who represents the interests of participating  
2 governmental units in the Employees' Pension System and the Employees'  
3 Retirement System; and

4            [(10)]   (11)    two trustees who:

5                    (i)        represent the interests of the public;

6                    (ii)       are not members of any of the several systems; and

7                    (iii)      are knowledgeable in the administration and operation of  
8 pension systems and trust funds.

9        ~~SECTION 2. AND BE IT FURTHER ENACTED, That the Board of Trustees for~~  
10 ~~the State Retirement and Pension System shall schedule the election of the new~~  
11 ~~trustee as soon as possible. In order to meet the member to retiree ratio described in~~  
12 ~~Section 1 of this Act, the new trustee should be either a retiree or a member of the~~  
13 ~~Teachers' Pension System or the Teachers' Retirement System, depending on the~~  
14 ~~Board's membership at the time of the election.~~

15        ~~SECTION 3-2.~~ AND BE IT FURTHER ENACTED, That this Act shall take  
16 effect ~~October~~ July 1, 2003.